GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Surprise Check conducted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District on 21-12-2013 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of Charges framed against Sri Shaik Karimullah, Attender, Transport Department - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.755 **Dated:06-06-2018**
Read:

G.O.Ms.No.293, Revenue (Vigilance – II) Department, Dt:06-06-2018.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri Shaik Karimullah, Attender, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Shaik Karimullah, Attender, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Shaik Karimullah, Attender, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Shaik Karimullah, Attender, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

To

Sri Shaik Karimullah, Attender, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District (w.e, Annexures-I to IV) **through** the Transport, Roads & Buildings (Vigilance.Tr) Department, A.P.Secretariat, Velagapudi. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Transport, Roads & Buildings (Vigilance.Tr) Department, A.P.Secretariat, Velagapudi.

Copy to

The Commissioner of Transport, Andhra Pradesh, 3rd Floor, NTR Administrative Block, PN Bus Station, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

SF / SC.

//FORWARDED BY ORDER//

SECTION OFFCIER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI S.K.KARIMULLAH, ATTENDER, TRANSPORT WING, INTEGRATED CHECK POST, BV PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Shaik Karimullah, Attender, Transport Department, Integrated Check Post, BV Palem, Tada Mandal, SPSR Nellore District was appointed as Watchman in O/o Excise Superintendent, Nellore on 01-10-1985 and got periodical promotions and converted as attender in Transport Department from 17-08-2010. While he was working as Attender at Integrated Check Post, B.V.Palem Check Post, Tada on 21-12-2013 has committed grave misconduct in as much as:-

CHARGE:-

That Sri Sk.Karimullah, Attender, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal being a public servant who was on duty together with two Assistant Motor Vehicle Inspector got bribes collected from the crew of the vehicles passing through the check post by ignoring their violations and usual collection on 21-12-2013 was Rs.23,060-00. They engaged two private persons namely Kanipakam Dayakar and Rakkapalem Suresh for collection bribes from the crew of the vehicles and an amount of Rs.6,730-00 was found with said private persons and also failed to account for Rs.8,350-00 found in rexine bag which was kept on the parapet wall in the premises of Transport wing.

Thus, Sri S.K. Karimullah, Attender by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government, Servant and thereby violated Rule 4(1) & 9(8A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATION IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI S.K. KARIMULLAH, ATTENDER, TRANSPORT WING, INTEGRATED CHECK POST, BV PALEM, TADA MANDAL, SPSR NELLORE DISTRICT.

That Sri S.K. Karimullah, Attender, Transport Wing, Integrated Check Post, BV Palem, Tada Mandal is native of Rapur, SPSR Nellore District and he joined in Government Service on 01-10-1985 as watchman in Excise Department and converted as attender on 02-06-2010 and working on deputation at Integrated Check Post, B.V.Palem, Tada Mandal, Nellore District. His date of birth is on 10-01-1964 and date of retirement on attaining the age of superannuation is 31-01-2024. He is here-in-after referred to as Government Servant.

CHARGE:-

That Sri S.K.Karmullah, Attender, Transport Department Integrated Check Post, BV Palem, Tada Mandal being a public servant who was on duty together with two Assistant Motor Vehicle Inspector got bribes collected from the crew of the vehicles passing through the check post by ignoring their violations and usual collection on 21-12-2013 was Rs.23,060-00. They engaged two private persons namely Kanipakam Dayakar and Rakkapalem Suresh for collection bribes from the crew of vehicles and an amount of Rs.6,730-00 was found with said private persons and also failed to account for Rs.8,350-00 found in rexine bag which was kept on the parapet wall in the premises of Transport wing.

FACTS AND EVIDENCE:-

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District are indulging in corrupt practices and collecting mamools from the crew of vehicles plying through Integrated Check Post, B.V.Palem, a surprise check was conducted over transport wing, prohibition and excise wing commercial taxes incoming and outgoing wings of Integrated Check Post, B.V.Palem on 21-12-2013 from 00-30 hrs to 06-00 hrs with four teams headed by the Deputy Superintendent of Police, Anti Corruption Bureau Nellore Range, Nellore in the presence of mediators. The surprise check revealed the following irregularities and violations. The officials of transport wing engaged two private persons for collecting mamools ranging from Rs.50/- to Rs.3,000/- from the crew of the vehicles as usual practice for ignoring the violations of M.V.Act, and other relevant acts. An unaccounted amount of Rs.23,060/- was seized in the premises of transport wing. The officials of transport wing engaged two private persons namely Kanipakam Dayakar and Rakapalem Suresh for collection of mamools from the crew of the vehicles and an amount of Rs.6,730/- was found with said private persons. Further during the search a rexin bag was found on the parapet wall of the transport wing premises and on opening the same some cash was found and it was counted by the mediators and it comes to Rs.8,350/-. When the Deputy Superintendent of Police asked the Assistant Motor Vehicle Inspector M.Suneel and Y.V.Purnachandra Rao and also Shaik Karimulla, Attender of Transport Wing who pleaded ignorance. As per the statements of the two crew vehicle drivers it was conformed that the amount was collected from them for ignoring the violations during the transportation of the goods in the vehicles and the amount of Rs.8,350/- which was found in the rexin bag and also the amount of Rs.6,730/- available with the two private persons of such nature and the same was seized under the mediator report. At the time of surprise check M.Suneel, Y.V.Purnachandra Rao Assistant Motor Vehicle Inspectors and Shaik Karimulla, Attender were on duty and the same was reflected in the duty registers. When compared with the amount noted by them in the personal cash register, the cash available is in

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excessive of the amount contained in personal cash register and Shaik Karimulla, Attender and the Assistant Motor Vehicle Inspectors did not properly account for the excess amount.

Therefore the Government Servant exhibited lack of integrity, devotion to duty which is unbecoming for a public servant and therefore he himself render for the departmental action for major penalty under Rule 4(1) and 9(8A) of Andhra Pradesh Civil Services Conduct Rules 1964.

Thus the Government Servant Shaik Karimulla, Attender, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 4(1) & 9(8A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for his misconduct.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES

1. Sri Kallagiri Ramesh Babu S/o Nagi settee, Age 27 years, Gandigovuru Village, YSR Kadapa District.
2. Sri N.Bala Veera Reddy S/o Pulla Reddy, Vallampadu Village, Koyalagunta, Khammam District.
3. Sri DSR Manohar Rao S/o Venkata Subbaiah, Age 46 years, Senior Assistant, Panchayat Raj Division, Ongole, Prakasam District.
4. K.Dayakar/Private Person.
5. A.Ramesh/Private Person.
6. Sri J.Bhaskara Rao, Deputy Superintendent of Police, Anti Corruption Bureau, Nellore.

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ANNEXURE-IV

LIST OF RECORDS

1. Duty Register (Attendance register) of Integrated Check Post, B.V.Palem.
2. Revised duty chart of Assistant Motor Vehicle Inspectors, Integrated Check Post, B.V.Palem for the month of December.
3. Personal Cash Register of Integrated Check Post, B.V.Palem.
4. Mediators report drafted on 21.12.2013 for the surprise check conducted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore Dist.
5. Service Particulars of SO and Job chart.

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